

B. AMENDMENTS TO THE CLAIMS

Claims 1, 2, 7-22, 30, 31, 34, 37 and 47-55 are cancelled without prejudice.

Claims 3-6, 23-29, 32, 33, 35, 36 and 38-46 are withdrawn.

1 56. (new) A bat comprising:
2 a substantially tubular body extending along a longitudinal axis, the body
3 having a handle portion and a tubular impact portion, the impact portion having an
4 inner peripheral surface, the impact portion being formed of a first material; and
5 at least one sheet having a proximal edge, a distal edge, and first and
6 second side edges, the at least one sheet contacting at least a portion of, and extending
7 around the inner peripheral surface such that the first and second edges each extend
8 from the proximal edge to the distal edge along a path that is substantially non-parallel
9 with the longitudinal axis, the at least one sheet being formed of a second material
10 which is different from the first material, the sheet being configured to be capable of
11 moving independently with respect to the body during use, the second material being
12 selected from the group consisting of a metal, a metal matrix composite material, a
13 fiberglass composite material, a urethane and combinations thereof.

1 57. (new) The insert of claim 56 wherein the first edge overlaps the second
2 edge along at least a portion of the path to form an overlapped seam.

1 58. (new) The insert of claim 56 wherein the first edge is positioned
2 adjacent to the second edge along at least a portion of the path to form a non-
3 overlapped seam.

1 59. (new) The insert of claim 56, wherein the path taken by at least one of
2 the first and second side edges between the proximal edge and the distal edge is selected

3 from the group consisting of helical, sinusoidal, convoluted, jagged, curved, irregular
4 and combinations thereof.

1 60. (new) The insert of claim 56, wherein the sheet has greater strength in a
2 peripheral direction than in a longitudinal direction.

1 61. (new) A substantially tubular insert for a bat wherein the insert extends
2 along a longitudinal axis, the insert comprising:

3 a plurality of reinforcing layers, at least one of the layers having a
4 parallelogram shape, each layer forming at least part of a tubular shape and connected
5 to at least one of the other layers, each layer having a proximal edge, a distal edge, and
6 first and second side edges, the first and second edges of each layer extending from the
7 proximal edge to the distal edge along a path that is substantially non-parallel with the
8 longitudinal axis, the layers being formed of a non-wood based material.

1 62. (new) The insert of claim 61 wherein each layer is bonded to at least
2 one other layer, and wherein each layer overlaps at least a portion of the at least one
3 other layer.

1 63. (new) The insert of claim 61, wherein each layer includes a plurality of
2 fibers, and wherein the fibers of each layer are oriented in substantially the same
3 direction.

1 64. (new) The insert of claim 61, wherein the plurality of layers includes at
2 least first and second sets of layers, wherein the fibers of the first set of layers are
3 orientated at between 0 and 89 degrees relative to the longitudinal axis, and wherein the
4 fibers of the second set of layers are orientated at between 90 and 179 degrees relative
5 to the longitudinal axis.

1 65. (new) The insert of claim 64 wherein the fibers of the first set of layers
2 are orientated at between 65 and 85 degrees relative to the longitudinal axis, and

3 wherein the fibers of the second set of layers are orientated at between 95 and 115
4 degrees relative to the longitudinal axis.

1 66. (new) The insert of claim 61, wherein the path taken by at least one of
2 the first and second side edges between the proximal edge and the distal edge is selected
3 from the group consisting of helical, sinusoidal, convoluted, jagged, curved, irregular
4 and combinations thereof.

1 67. (new) The insert of claim 61 wherein the layers are comprised of a
2 material selected from the group consisting of a fiber matrix composite, a metal matrix
3 composite, a metal, a carbon matrix composite, a urethane and combinations thereof.

1 68. (new) The insert of claim 61 wherein each layer has a thickness between
2 0.003 inches and 0.015 inches.

1 69. (new) The insert of claim 61 wherein the majority of the plurality of
2 layers substantially overlap one of the other layers.

1 70. (new) The insert of claim 61 wherein at least one of the plurality of
2 layers has its first edge at least partially overlapping its second edge to form a single-
3 layer overlapped seam.

1 71. (new) The insert of claim 61 wherein at least one of the plurality of
2 layers has its first edge positioned adjacent to its second edge to form a single layer
3 non-overlapped seam.

1 72. (new) The insert of claim 61, wherein at least one of the plurality of
2 layers has a greater strength in a peripheral direction than in a longitudinal direction.